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Written statement* submitted by Americans for Democracy & Human Rights in Bahrain Inc, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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2017: A New Low Point for Human Rights in Bahrain

Americans for Democracy & Human Rights in Bahrain (ADHRB) takes this opportunity at the 37th Session of the United Nations Human Rights Council (HRC) to raise serious concern over the deterioration of human rights in Bahrain. The past year has seen some of the kingdom's worst human rights abuses in decades. Since the start of 2017, activists and human rights defenders have been tortured and arbitrarily imprisoned; police have killed peaceful demonstrators in violent raids; political space has been all but entirely closed; and perpetrators of such violations have enjoyed impunity for their crimes.

1. Imprisoned Human Rights Defenders and Political Activists

The Government of Bahrain continued to arbitrarily detain, torture, and deny medical care to Bahraini human rights defenders and political activists in 2017. In July, a court sentenced leading human rights defender Nabeel Rajab to two years in prison for "publishing and disseminating rumors and false news" in relation to media interviews. In a separate case, Rajab faces further charges of "spreading false rumors in time of war," "insulting public authorities," and "insulting a foreign country." These charges stem from comments posted to his Twitter account highlighting allegations of torture in Bahrain's prisons and criticizing Bahrain's role in the Saudi Arabia-led military operation in Yemen. If Rajab is convicted he faces up to 15 additional years in prison.

Throughout his detention, Rajab has been exposed to harsh treatment and inhumane living conditions, including extended solitary confinement. Rajab reported that his cell was filthy and full of insects. As a result, Rajab's health suffered a significant decline, leading to repeated hospitalization. Guards have also subjected him to degrading treatment, including forcibly shaving his hair, arbitrarily raiding his cell at night, and confiscating his personal items.

Another Bahraini activist, Ebtisam al-Saegh, was also repeatedly harassed, detained, and tortured in 2017. From January to April – and particularly following her participation in the 34th HRC – al-Saegh was repeatedly interrogated; subjected to a state-backed defamation campaign; targeted with travel bans; and threatened with attacks on her family. Then in May, al-Saegh was summoned for interrogation by the National Security Agency (NSA) and physically, psychologically and sexually tortured. Authorities threatened to continue targeting al-Saegh and her family if she did not cease her human rights activities. In early July, the government arrested al-Saegh and later charged her with unsubstantiated "terrorism" charges along with two other activists. Though she was released in October, her charges remain active.

Many prisoners of conscience that were already incarcerated also saw their detention standards deteriorate in 2017. For example, Dr. Abduljalil al-Singace – a Bahraini academic, blogger, and human rights activist imprisoned since 2011 – suffers from a number of serious, ongoing health concerns that have not been adequately treated throughout his incarceration, including post-polio syndrome that has left him partially paralyzed in both legs. Dr. al-Singace is also diagnosed with sickle cell anemia, high blood pressure, and health issues relating to the inner ear, including infections and vertigo. Yet the authorities have consistently denied Dr. al-Singace the regular medical treatment he needs to address these ailments as well as the surgery he requires as a result of the torture to which he was subjected during his initial arrest.

Similarly, activist Hassan Mushaima, who was imprisoned along with Dr. al-Singace during the aftermath of the 2011 protests, is a survivor of lymphoma and is under doctors' orders to receive regular cancer screenings. Nevertheless, prison authorities have prevented him from attending any of his screening appointments since September 2016.

2. Excessive Force and Extrajudicial Killing

This past year was also one of Bahrain's bloodiest in decades, with the authorities committing at least 9 extrajudicial killings. On 15 January, the government ended a de facto moratorium on the death penalty by executing three detainees after an unfair trial rife with due process violations, including torture and forced confessions. Later that month, masked

security personnel believed to be members of the NSA attacked a peaceful sit-in in the village of Diraz, firing live ammunition into the crowd and killing 18-year-old Mustafa Hamdan. The sit-in was permanently dispersed on 23 May when security forces again raided Diraz, this time arresting hundreds and killing five, including Hamdan's older brother.

3. Closing Civil and Political Space

The Bahraini government imposed further restrictions on political freedoms in 2017, virtually closing the space for formal opposition ahead of the 2018 parliamentary elections. In March, the Ministry of Justice moved to dissolve Wa'ad, the last major opposition group still operating in Bahrain, citing unsubstantiated allegations of "incitement of acts of terrorism and promoting violent and forceful overthrow" of the government after the group issued a statement about the kingdom's "constitutional political crisis." The group's dissolution was confirmed in October, marking the near-total elimination of formal political dissent in Bahrain.

The government has also used retaliatory travel bans and arbitrary detention to prevent independent Bahraini civil society actors from leaving the country to engage the international community, including UN mechanisms. Ahead of Bahrain's third Universal Periodic Review session in May, the government imposed travel bans on at least 32 civil society actors, for example. As a result, only three independent Bahraini activists were able to attend the session, in contrast with at least 47 during the second cycle in 2012. Nedal al-Salman, a leading member of the Bahrain Center for Human Rights (BCHR), was prevented from leaving Bahrain over five times this past year. The authorities failed to give her a reason for any of the bans, which ultimately prevented her from attending sessions of the UN Human Rights Council and the European Union NGO Forum on Human Rights.

4. Impunity for Perpetrators

The government has entirely failed to hold officials accountable for systematic human rights violations like torture and arbitrary detention, and this failure has continued in 2017. Bahrain's human rights and oversight bodies – chief among them the Ministry of Interior Ombudsman, the Public Prosecution Office's Special Investigations Unit, the Prisoners and Detainees Rights Commission, and the National Institution for Human Rights – remain closely connected to the government and are incapable or unwilling to properly address the cases brought to their attention. Despite repeated communications and complaints from independent human rights organizations and the UN Special Procedures, these oversight bodies have not fulfilled their mandates, and have at times worked to obscure the rights violations they are meant to investigate. Only a small number of low-level officials have been prosecuted and convicted, with most sentences failing to reflect the gravity of the crimes. Meanwhile, security forces continue to systematically commit abuses and even retaliate against complainants that have engaged the accountability mechanisms.

Impunity for crimes against journalists and human rights defenders, in particular, remains rampant. In June 2017, Bahrain's Ministry of Information Affairs indefinitely suspended *Al-Wasat*, Bahrain's only independent newspaper. Karim Fakhrawi, *Al-Wasat*'s co-founder, was tortured to death by Bahrain's NSA in 2011, and while the government investigated the case amid public pressure, the responsible officials were not charged with torture leading to death, which can result in up to life in prison. Instead, the officials were ultimately sentenced to just three years in prison. In 2012, freelance journalist Ahmed Ismael Hassan al-Samadi died after being shot while filming a protest in the village of Salmabad. Following Hassan's death, the UN called for an investigation into his killing, but the status of the judicial inquiry into the case is still considered unresolved.

Members of the royal family are especially immune to investigation and prosecution. Credible evidence has emerged that Sheikh Nasser bin Hamad Al Khalifa – the king's son and a senior military leader – oversaw arbitrary detention and torture during the suppression of the 2011 pro-democracy protests, for example. Sheikh Nasser made public comments indicating his intent to carry out reprisals against activists, and two imprisoned opposition leaders have reported that he personally tortured them. In 2014, the High Court of London even ruled to overturn his royal immunity after a Bahraini refugee under the name "FF" brought a case against him in the United Kingdom. Nevertheless, the Government of Bahrain has never investigated Sheikh Nasser and continues to dispute the allegations.

5. Recommendations

By the end of 2017, Bahrain's human rights situation reached yet another new low. The government has intensified its efforts to close all independent civil and political space, and the authorities continue to abuse activists, human rights defenders, and journalists with impunity. We therefore urge the international community to call on the Government of Bahrain to:

- Adhere to its international commitments to uphold fundamental freedoms and basic human rights;
- Release all prisoners of conscience facing charges stemming from peaceful free expression or human rights activism, including Nabeel Rajab, Ebtisam al-Saegh, Dr. Abduljalil al-Singace, and Hassan Mushaima;
- Guarantee in all circumstances the freedom of movement of human rights defenders by abolishing the practice of issuing retaliatory travel bans;
- Allow political opposition groups to operate freely, including by restoring the status of arbitrarily dissolved societies like Wa'ad;
- And hold all officials accountable for abuses including torture and arbitrary detention.